

REMARKS

This is in response to the initial Office Action dated November 1, 2006. In the Office Action Claims 1-17 were rejected under 35 U.S.C. 103(a) as being unpatentable over Chang et al. (U.S. Patent No. 7,092,216), in view of Hong et al. (U.S. Publication No. 2003/0197980).

This Application includes four inventors, Ken L. Chang, Kamran Oveyssi, Shawn Casey, and Chaw-Wu Tseng. The Chang et al. reference has a filing date of July 31, 2003 and issued on August 15, 2006 without prior publication. The Chang et al. reference indicates that there are two inventors, Ken L. Chang and Kamran Oveyssi.

Submitted concurrently herewith are the Declarations of Ken L. Chang and Kamran Oveyssi pursuant to 37. C.F.R. §1.132. Ken L. Chang and Kamran Oveyssi are two of the four co-inventors of the present Application. As unequivocally stated in the Declarations, Ken L. Chang and Kamran Oveyssi are the inventors of the subject matter disclosed in the Chang et al. reference.

In the absence of a statutory bar, a rejection based on a publication may be overcome by a showing that it was published by applicant himself/herself. M.P.E.P. §715.01(c), M.P.E.P. §716.10.

The Chang et al. reference was issued on August 15, 2006 after the filing date of the present Application and therefore it does not present a statutory bar in the present matter. Applicants submit that in view of the Declarations, the cited Chang et al. reference should be removed from consideration and therefore the rejection under 35 U.S.C. §103 is overcome.

Should the Examiner have any suggestions for expediting the allowance of the application, the Examiner is invited to contact Applicants' representative at the telephone number listed below.

The Commissioner is hereby authorized to charge any payment of required fees associated with this Communication or credit any overpayment to Deposit Account No. 19-4330.

Respectfully submitted,

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